



March 14, 2011

TO: All Law Enforcement Agencies

FROM: Maureen Johnson, Chief 
Motorist Services – Bureau of Records

SUBJECT: Unauthorized use of DAVID system

It has been brought to our attention that some law enforcement agencies have been accessing DAVID on behalf of other governmental agencies to assist in employment and risk management duties. Access to DAVID is limited to authorized personnel and can only be used for the purposes for which authorization is granted.

Each Agency has signed a Memorandum of Understanding (MOU) with the department. Section IV (B) (2) of the DHSMV MOU states the following: *"For a Government Entity, driver license, motor vehicle, or traffic crash information may only be used for the express purposes originally agreed to by the Government Entity and Providing Agency. Information obtained from the Providing Agency by a Government Entity shall not be retained by the Government Entity, unless obtained for a law enforcement purpose, or resold to any Third Party."*

Unauthorized use includes, but is not limited to, queries not related to a legitimate law enforcement purpose, personal use, improper dissemination to non-law enforcement personnel, and sharing, copying or distributing DAVID information to unauthorized users. Copying or distribution of DAVID information to branches of your government for the purpose of employment or risk management is not authorized use per s. 322.20 F.S. Unauthorized access, use, or disclosure of data from DAVID is a serious matter and may result in civil lawsuits, a violation of criminal law and will result in strong disciplinary response by your agency.

The department, clerks of court and tax collectors, as our agents, are the only agencies authorized to sell records. A non-law enforcement governmental agency needing to check driving records may obtain this information by the following:

1. Obtain a free driver license status check
 - a) Log on to the DHSMV web page, <https://www6.flhsmv.gov/DLCheck/main.jsp>
 - b) Enter the driver's driver license number and click enter
 - c) The agency may print the page for their records

2. Have the employee provide the agency with a complete driver record.

a) Information on office locations, contact information and fees is located on our web site at:

<http://www.flhsmv.gov/ddl/abstract.html>

3. Obtain records directly from our department.

a) Individually – <http://www.flhsmv.gov/ddl/abstract.html>

b) In bulk – DataListingUnit@flhsmv.gov

Also as a reminder section 119.0712(2)(c), Florida Statutes, states that the emergency contact information associated with a driver or vehicle record may only be used by law enforcement to notify the contact persons in the event of an emergency. The full text of the law is:

1. Emergency contact information contained in a motor vehicle record is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. Without the express consent of the person to whom such emergency contact information applies, the emergency contact information contained in a motor vehicle record may be released only to law enforcement agencies for purposes of contacting those listed in the event of an emergency.

Because the law is very specific regarding use, please ensure that all law enforcement personnel with access to DAVID are informed of these requirements so that they do not access information available through DAVID inappropriately.

We hope this information is helpful. If you have questions contact us at DAVIDSupport@flhsmv.gov or call (850) 617-2657 or (850) 617-2660.